

10/23/01

11064 U.S. PTO

12-06-01

A

PTO/SB/05 (11-00)

Approved for use through 10/31/2002 OMB 0651-0032

U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

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**UTILITY  
PATENT APPLICATION  
TRANSMITTAL**

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No. 01-10029

First Inventor Anthony Bove

Title Flexible Magnetic Insole and Method ...

Express Mail Label No EL 130 206 482 US

**APPLICATION ELEMENTS**

See MPEP chapter 600 concerning utility patent application contents.

1. ☒ Fee Transmittal Form (e.g., PTO/SB/17)  
(Submit an original and a duplicate for fee processing)
2. ☐ Applicant claims small entity status.  
See 37 CFR 1.27.
3. ☒ Specification [Total Pages 24]  
(preferred arrangement set forth below)
- Descriptive title of the invention
  - Cross Reference to Related Applications
  - Statement Regarding Fed sponsored R & D
  - Reference to sequence listing, a table, or a computer program listing appendix
  - Background of the Invention
  - Brief Summary of the Invention
  - Brief Description of the Drawings (if filed)
  - Detailed Description
  - Claim(s)
  - Abstract of the Disclosure
4. ☒ Drawing(s) (35 U.S.C. 113) [Total Sheets 8]
5. Oath or Declaration [Total Pages ]
- a. ☐ Newly executed (original or copy)  
Copy from a prior application (37 CFR 1.63 (d))
- b. ☐ (for continuation/divisional with Box 18 completed)
- i. ☐ **DELETION OF INVENTOR(S)**  
Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b)
6. ☐ Application Data Sheet. See 37 CFR 1.76

ADDRESS TO: Assistant Commissioner for Patents  
Box Patent Application  
Washington, DC 20231

7. ☐ CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)
8. Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary)
- a. ☐ Computer Readable Form (CRF)
- b. Specification Sequence Listing on.
- i. ☐ CD-ROM or CD-R (2 copies); or
- ii. ☐ paper
- c. ☐ Statements verifying identity of above copies

**ACCOMPANYING APPLICATION PARTS**

9. ☐ Assignment Papers (cover sheet & document(s))
10. ☐ 37 CFR 3.73(b) Statement (when there is an assignee) ☐ Power of Attorney
11. ☐ English Translation Document (if applicable)
12. ☒ Information Disclosure Statement (IDS)/PTO-1449 ☐ Copies of IDS Citations
13. ☐ Preliminary Amendment
14. ☒ Return Receipt Postcard (MPEP 503) (Should be specifically itemized)
15. ☐ Certified Copy of Priority Document(s) (if foreign priority is claimed)
16. ☒ Request and Certification under 35 U.S.C. 122 (b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent.
17. ☒ Other: Customer Number/User Request. ...  
Express Mail Certificate. ....

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

☐ Continuation ☒ Divisional ☐ Continuation-in-part (CIP) of prior application No 09 / 379,826

Prior application information

Examiner Lacyk, J.

Group Art Unit 3736

For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

**19. CORRESPONDENCE ADDRESS**☒ Customer Number or Bar Code Label

(Insert Customer No. or Attach bar code label here)

or ☐ Correspondence address below

Name Daniel M. Cislo, Esq.  
CISLO & THOMAS, LLP  
Address 233 Wilshire Boulevard, Suite 900  
City Santa Monica State CA Zip Code 90401-1211  
Country US Telephone 310-451-0647 Fax 310-394-4477

Name (Print/Type) Daniel M. Cislo Registration No. (Attorney/Agent) 32,973

Signature Daniel M. Cislo / aj Date 10-23-01

Burden Hour Statement This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO Assistant Commissioner for Patents, Box Patent Application, Washington, DC 20231.

10/23/01  
1064 U.S. PTO

PTO/SB/17 (12/99)  
Approved for use through 09/30/2000 OMB 0651-0032  
Patent and Trademark Office U.S. DEPARTMENT OF COMMERCE

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# FEE TRANSMITTAL for FY 2000

Patent fees are subject to annual revision.  
Small Entity payments must be supported by a small entity statement,  
otherwise large entity fees must be paid. See Forms PTO/SB/09-12  
See 37 C.F.R. §§ 1.27 and 1.28

TOTAL AMOUNT OF PAYMENT (\$740.00)

## Complete if Known

Application Number	Filed herewith
Filing Date	Filed herewith
First Named Inventor	BOVE et al.
Examiner Name	Not yet assigned
Group / Art Unit	Not yet assigned
Attorney Docket No.	01-10029

## METHOD OF PAYMENT (check one)

1. ☐ The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to.

Deposit Account Number 03-2030

Deposit Account Name Cislo & Thomas, LLP

☒ Charge Any Additional Fee Required Under 37 CFR §§ 1.16 and 1.17

2. ☒ Payment Enclosed:  
☒ Check ☐ Money Order ☐ Other

## FEE CALCULATION

### 1. BASIC FILING FEE

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
101 690	201 345	Utility filing fee	740.00
106 310	206 155	Design filing fee	
107 480	207 240	Plant filing fee	
108 690	208 345	Reissue filing fee	
114 150	214 75	Provisional filing fee	

SUBTOTAL (1) (\$740.00)

### 2. EXTRA CLAIM FEES

Total Claims	Extra Claims	Fee from below	Fee Paid	
16	-20** = 0	18	0	
Independent Claims	2	-3** = 0	84	0
Multiple Dependent			0	

\*\*or number previously paid, if greater; For Reissues, see below

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description
103 18	203 9	Claims in excess of 20
102 78	202 39	Independent claims in excess of 3
104 260	204 130	Multiple dependent claim, if not paid
109 78	209 39	** Reissue independent claims over original patent
110 18	210 9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$0.00)

## FEE CALCULATION (continued)

### 3. ADDITIONAL FEES

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
105 130	205 65	Surcharge - late filing fee or oath	0.00
127 50	227 25	Surcharge - late provisional filing fee or cover sheet	0.00
139 130	139 130	Non-English specification	0.00
147 2,520	147 2,520	For filing a request for reexamination	0.00
112 920*	112 920*	Requesting publication of SIR prior to Examiner action	0.00
113 1,840*	113 1,840*	Requesting publication of SIR after Examiner action	0.00
115 110	215 55	Extension for reply within first month	0.00
116 380	216 190	Extension for reply within second month	0.00
117 870	217 435	Extension for reply within third month	0.00
118 1,360	218 680	Extension for reply within fourth month	0.00
128 1,850	228 925	Extension for reply within fifth month	0.00
119 300	219 150	Notice of Appeal	0.00
120 300	220 150	Filing a brief in support of an appeal	0.00
121 260	221 130	Request for oral hearing	0.00
138 1,510	138 1,510	Petition to institute a public use proceeding	0.00
140 110	240 55	Petition to revive - unavoidable	0.00
141 1,210	241 605	Petition to revive - unintentional	0.00
142 1,210	242 605	Utility issue fee (or reissue)	0.00
143 430	243 215	Design issue fee	0.00
144 580	244 290	Plant issue fee	0.00
122 130	122 130	Petitions to the Commissioner	0.00
123 50	123 50	Petitions related to provisional applications	0.00
126 240	126 240	Submission of Information Disclosure Stmt	0.00
581 40	581 40	Recording each patent assignment per property (times number of properties)	0.00
146 690	246 345	Filing a submission after final rejection (37 CFR § 1.129(a))	0.00
149 690	249 345	For each additional invention to be examined (37 CFR § 1.129(b))	0.00
Other fee (specify)			0.00
Other fee (specify)			0.00

\* Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$0.00)

## SUBMITTED BY

Name (Print/Type)	Daniel M. Cislo	Registration No. (Attorney/Agent)	32,973	Telephone	1-310-451-0647
Signature	Daniel M. Cislo / aj	Date	10-23-01		

## WARNING:

Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Burden Hour Statement This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO Assistant Commissioner for Patents, Washington, DC 20231.



## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of:  
**BOVE et al.**

Serial Number:	Filed herewith	Examiner:	Not yet assigned
Filed:	Filed herewith	Art Unit:	Not yet assigned

For: FLEXIBLE MAGNETIC INSOLE AND METHOD OF MANUFACTURE

BOX PATENT APPLICATION  
Commissioner for Patents  
Washington, D.C. 20231

### NONPUBLICATION REQUEST AND CERTIFICATION UNDER 35 U.S.C. 122(b)(2)(B)(i) and 37 C.F.R. § 1.213(a)

Dear Sir or Madam:

Under 37 C.F.R. § 1.213(a), Applicants respectfully request that the application captioned above and filed herewith not be published pursuant to 35 U.S.C. § 122(b) and/or 37 C.F.R. § 1.211.

Applicants certify that the invention(s) disclosed in the said application has not been and will not be subject of an application filed in another country, or under a multilateral international agreement, that requires publication at eighteen months after filing.

Respectfully submitted,

CISLO & THOMAS LLP

Date: October 23, 2001

  
Daniel M. Cislo

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DMC/ASJ/gb

1000443-10301  
FOEAT-ET-4000T



## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of:  
**BOVE et al.**

Serial Number: Filed herewith                      Examiner: Not yet assigned  
Filed: Filed herewith                      Art Unit: Not yet assigned

For: FLEXIBLE MAGNETIC INSOLE AND METHOD OF MANUFACTURE

BOX PATENT APPLICATION

Commissioner for Patents  
Washington, D.C. 20231

### REQUEST FOR USE OF CUSTOMER NUMBER

Dear Sir:

Applicants' representative has the following customer number lodged with the Patent Office:

25,189



25189

PATENT TRADEMARK OFFICE

The Office is respectfully requested to use this customer number (the bar code for which is above) for correspondence purposes as well as for online access via the PAIR system with respect to the present application.

Respectfully submitted,

CISLO & THOMAS LLP

Date: October 23, 2001

  
Daniel M. Cislo

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www.cislo.com

DMC/ASJ/gb

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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

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In re the application of:

**BOVE, Anthony**  
**ARDIZZONE, Vincent**

Serial Number:    Filed herewith                      Examiner:    Not yet assigned  
  
Filed:                      Filed herewith                      Art Unit:    Not yet assigned  
  
Confirmation No.: Not yet assigned

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For: **FLEXIBLE MAGNETIC INSOLE AND METHOD OF MANUFACTURE**

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BOX PATENT APPLICATION  
Commissioner for Patents  
Washington, D.C. 20231

**CERTIFICATE OF MAILING BY EXPRESS MAIL**

Express Mailing Label No. **EL 130 206 482 US**  
Deposited: October 23, 2001

Dear Sir:

Enclosed herewith are the following:

1.    Utility Patent Application Transmittal Letter (1 page), with Fee Transmittal (1 page);
2.    Check No. 21774 in the amount of \$740.00 for filing fees;
3.    Utility Patent Application (15 specification pages, 8 pages of claims, 1-page abstract, and 8 drawing pages, for a total of 32 pages);
4.    Information Disclosure Statement (2 pages) under 37 C.F.R. § 1.98(d), not requiring Information Disclosure Citation nor patent references of prior applications;
5.    Nonpublication Request Under 37 C.F.R. § 1.213(a) (1 page);
6.    Request for Use of Customer Number (1 page);

10004143-102301

7. This Certificate of Express Mail (2 pages); and
8. Acknowledgment Postcard.

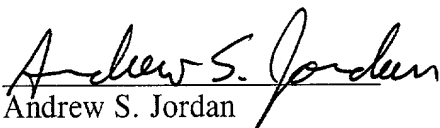
I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R., Section 1.10, on the date indicated above and is addressed to:

Commissioner for Patents  
Washington, D.C. 20231  
BOX PATENT APPLICATION

Respectfully submitted,

CISLO & THOMAS LLP

Date: October 23, 2001

  
Andrew S. Jordan  
Reg. No. 33,917

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Enclosures

As listed above

Z:\GRACE\10029 NU-MAG BOVE INSOLE DIV UTIL EXP MAIL CERT DOC